REMARKS

Claims 1-2 and 5-11 have been rejected under 35 USC 103(a) as unpatentable over Eloranta in view of Nieminen, further in view of Lu. The rejection is respectfully traversed.

As previously addressed in earlier filed responses, Eloranta discloses a system and a method for legally monitoring a party respectively a subscriber in a communication network. A monitoring device is adapted to detect the occurrence of identification data generated when a suspicious subscriber is starting or receiving a communication. A database 5 is addressed for comparing the identification data with entries of the database 5. These entries represent identifier data of suspicious communication subscriber, which are supposed to be monitored.

Eloranta fails, however, to disclose using abbreviated data relating to subscriber, which are supposed to be monitored (as indicated by the Examiner), as required for example by claims 1 and 11. Significantly, the use of such abbreviated data provides the advantage that the number of list entries in the database can be significantly reduced. This is in particular advantageous if a high number of telecommunication subscribers are supposed to be monitored. The Examiner cites Nieminen as disclosing this feature.

Nieminen discloses a communication system for providing services to communication terminals, which correspond to subscribers. Such a service may be, for instance, the provision of a weather forecast or the transmission of emails to a mobile station of a user. A service data storage unit is used for storing a set of service provision definitions. Each service provision definition comprises a service field storing an indication of a service and an address field storing an expression specifying the address of one or more of the terminals. Wildcards may be used in order to specify more than one subscriber number (see page 6, second paragraph). A service logic unit is arranged to receive communications in the system and compares an address specified in a communication with the expressions stored in the address field of each of the service provision definitions. On the basis of that comparison the service provision unit provides the desired service to the terminal respectively to the plurality of terminals identified by the address.

However, it is unclear why the skilled artisan would have combined Eloranta with Nieminen. Eloranta refers to selectively legally monitoring suspicious parties within a

communication network. Nieminen, on the other hand, is silent about monitoring a data connection, and refers to selective service access for selected used. Hence, a person skilled in the art trying to improve the efficiency for selecting suspicious users, would not combine the two references.

Even assuming *arguendo* that the skilled artisan would have been inclined to combine the references, the combination would still not arrive at the claimed invention. In this respect, when monitoring a data communication of a suspicious user automatically, both the information received and transmitted by/to the user is monitored. By contrast thereto, when selectively providing services to authorized users it is only necessary to allow information flowing from a service provider towards the user. Even if an information flow is originating from the user, Nieminen fails to disclose establishing a two-sided communication, wherein information flows both in the direction towards and in the direction away from the selected user. Since there is no disclosure in Nieminen that wildcards can also be used for a two-sided communication, a person skilled in the art would not use wildcards for deciding whether a two-sided communication has to be intercepted.

Additionally, when providing data access to at least one user by employing a wildcard automatically, all users fulfilling the corresponding criterion will be provided with the same service. By contrast thereto, when monitoring a plurality of users having an identification detail, which corresponds to a certain identification detail abbreviation, all users together with their counterparts will be monitored separately. Therefore, using a wildcard according to Nieminen will cause all selected users to be treated <u>collectively</u> in the same way as all other selected users. By contrast, using an abbreviation according to the claimed invention will cause all selected users to be treated <u>individually</u> by monitoring all information flowing to and from these selected users separately. Therefore, Nieminen teaches a person skilled in the art that using a wildcard will only allow for a collective treatment of selected users.

In any event, Applicants agree with the Examiner that Nieminen fails to disclose a wildcard as the abbreviation. However, the Examiner cites Lu as disclosing this feature, to which the Applicants respectfully disagree. Rather, Lu discloses a cellular private branch exchange for facilitating cellular communication for a plurality of mobile station units, which includes a base station subsystem for communicating with a first and a second mobile station unit

of the plurality of mobile station units on respectively a bearer data channel. A person skilled in the art, however, would not combine the applied references since such a combination would not make the use of identification detail abbreviations obvious for the technical field of intercepting telecommunication connection. As can be derived from paragraph [0171] of the Lu, abbreviation of International Mobile Subscriber Identity (IMSI) data is used to uniquely identify a mobile station. The term "abbreviation" used in Lu has a completely different technical meaning than the term "abbreviation" recited in claims 1 and 11. According to the present invention, an abbreviation is used for pooling a plurality of different suspicious subscribers in order to allow for using a smaller database and for achieving a faster comparison whether the communication of a particular subscriber has to be intercepted. According to Lu, on the other hand, abbreviations are simply used for shortening identification codes, wherein the one-to-one relationship between the original code and the abbreviated code is maintained,

More specifically, Lu describes in [0171], with reference to Fig 13a, that the IMSI or optionally some abbreviated version of the IMSI may be used to uniquely identify a record in the registry. The use of an "abbreviation" and to "uniquely identify" prima facie are contradictory. However, with reference to Fig. 13a, it is clear what is meant by abbreviation in Lu. The wildcard replaces the leading 5 digits of the IMSI, namely the 3 digit country code (MCC) and the 2 digit network code (MNC). In other words, Lu teaches to use the 10 digit MSIN, which in fact leads to a unique identification of a subscriber within a network (having a fixed 2 digit identifier and a fixed 3 digit country code). Using such a wildcard in this way, the group of subscribers would be a group out of different countries all over the world and out of different networks allover all countries, however only one single subscriber in one network, leading to a unique identification within a network. Thus, such a wildcard as an abbreviation does not lead to the teaching of the present invention.

Claims 3-4 have been rejected under 35 USC 103(a) as unpatentable over Eloranta in view of Nieminen, further in view of Lu and Helferich. The rejection is respectfully traversed for the same reasons presented in the arguments above.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to

charge deposit account 02-1818 for any fees which are due and owing. The Examiner is

requested to refer to Attorney Docket No. 118744-42 when responding to this correspondence.

Respectfully submitted,

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